



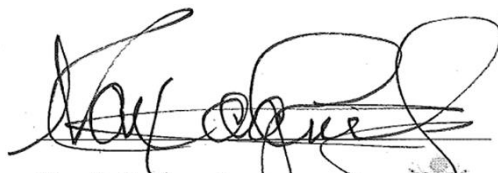
error. Specifically, the court was authorized to impose an active sentence under 18 U.S.C. § 3583(e) well above the 33 months it actually imposed. The court could require defendant to serve all or part of the term of supervised release authorized by the statute for the offense that resulted in the imposition of the term of supervised release which was violated, without credit for time previously served on post-release supervision. As to the additional term of supervised release, the PROTECT Act authorizes a new term of supervised release of up to 60 months, less any term of imprisonment imposed upon the revocation, making the sentence imposed in this matter a lawful judgment and not clearly erroneous under Rule 35(a).

Having considered defendant's pro se letter and reviewed the pleadings, the court enters the following Order.

### **ORDER**

**IT IS, THEREFORE, ORDERED** that defendant's pro se letter (#241), to the extent it seeks relief, is **DENIED** as non-justiciable under L.Cr.R.47.1(H), and under Rule 35(a) as clear error has not been shown.

Signed: May 1, 2013



Max O. Cogburn Jr.  
United States District Judge